

Amendment No. 1 to SB0528

Yager  
Signature of Sponsor

**AMEND Senate Bill No. 528\***

**House Bill No. 542**

by deleting Section 1 of the bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-207, is amended by adding the following:

(u)

(1) A winery that has all of the following characteristics may exercise the privileges set forth in subdivision (u)(2):

(A) Is located on a tract or tracts of land having at least twenty-four (24) contiguous acres;

(B) Is located adjacent to a federal highway;

(C) A commercial railroad track is not more than two hundred fifty feet (250') from the nearest property line;

(D) Has a structure that was originally constructed prior to 1860 as a private residence;

(E) Has a historic stable and carriage house;

(F) Is leased or owned by a not-for-profit corporation that qualifies as tax exempt under the Internal Revenue Code § 501(c)(3);

(G) Is located within any county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census;

(H) Is located within the jurisdictional limits of a city having a population of not less than two thousand nine hundred (2,900) nor more

Amendment No. 1 to SB0528

Yager  
Signature of Sponsor

AMEND Senate Bill No. 528\*

House Bill No. 542

than three thousand (3,000), according to the 2010 federal census or any subsequent federal census; and

(l) Holds a federally registered trademark to the brand name of a spirit or spirits that was used as the brand name for a spirit or spirits manufactured before ratification of the Eighteenth Amendment to the Constitution of the United States, and such spirit or spirits is made under license by a manufacturer that is owned by descendants of the owners of the original manufacturer of such spirit or spirits.

(2) A winery may:

(A) Serve samples of alcoholic beverages distilled or blended by a manufacturer that meets the criteria set forth in subdivision (u)(1)(l), with or without charge, and with or without ice and mixers;

(B) May sell bottles of alcoholic beverages distilled or blended by the manufacturer; and

(C) May sell merchandise promoting the brand or brands of the manufacturer at the retail store operated by the winery.

All distilled spirits to be served or sold at the winery must be distributed by a wholesaler. For distilled spirits acquired from a wholesaler by a winery under this section, the wholesaler may permit the manufacturer to deliver distilled spirits to the winery, provided the wholesaler permitting such direct shipment must include the amounts delivered in its inventory and depletions for purposes of tax collections.